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FIFTH AMENDMENT TO CONDOMINIUM DECLARATION FOR AMOUR VALLEE CONDOMINIUMS

STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DALLAS §

THIS FIFTH AMENDMENT TO CONDOMINIUM DECLARATION FOR AMOUR VALLEE CONDOMINIUMS (this "**Fifth Amendment**") is made this __ day of January, 2019, by KAMINSKI HOLDINGS, INC., a Texas corporation (hereinafter referred to as the "**Declarant**").

W I T N E S S E T H:

WHEREAS, Declarant recorded that certain Condominium Declaration for Amour Vallee Condominiums on November 12, 2018, under Instrument Number 2018-00301146 of the Condominium Records of Dallas County, Texas (the "**Declaration**"); and

WHEREAS, Declarant recorded that certain First Amendment to Condominium Declaration for Amour Vallee Condominiums on December 26, 2018, under Instrument Number 201800335053 of the Condominium Records of Dallas County, Texas (the "**First Amendment**"); and

WHEREAS, Declarant recorded that certain Second Amendment to Condominium Declaration for Amour Vallee Condominiums on December 27, 2018, under Instrument Number 201800335938 of the Condominium Records of Dallas County, Texas (the "**Second Amendment**"); and

WHEREAS, Declarant recorded that certain Third Amendment to Condominium Declaration for Amour Vallee Condominiums on January 14, 2019, under Instrument Number 201900011663 of the Condominium Records of Dallas County, Texas (the "**Third Amendment**"); and

WHEREAS, Declarant recorded that certain Fourth Amendment to Condominium Declaration for Amour Vallee Condominiums in the Condominium Records of Dallas County, Texas (the "**Fourth Amendment**"); and

WHEREAS, Article X, Section 10.1 of the Declaration provides that the Declarant may amend the Declaration at any time if such amendment is required by an institutional or governmental lender or purchaser of mortgage loans, including, for example, the Federal National Mortgage Association or Federal Home Loan Mortgage Corporation, to enable such lender or purchaser to make or purchase mortgage loans on the Condominium Units; and

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Official

WHEREAS, the Declarant desires to amend the Declaration to enable FNMA and FHLMC to make or purchase mortgage loans on the Condominium units; and

WHEREAS, Article X, Section 10.1 of the Declaration provides that the board of directors of the Amour Vallee Homeowners Association, Inc., a Texas nonprofit corporation (the "**Master Association**") must consent to any material amendment to the Declaration; and

WHEREAS, the Master Association, as evidenced by its signature below, consents and approves of the amendments to the Declaration as set forth below.

NOW, THEREFORE, pursuant to the powers retained by Declarant under the Declaration and the Act, the Declarant hereby amends the Declaration as follows:

1. Article XIII, Section 13.01 of the Declaration is amended by deleting the first paragraph of this Section in its entirety and replacing it with the following:

> 13.01 Eligible Mortgage Holders. Any First Mortgagee, or insurer or guarantor of a First Mortgage, shall be an "**Eligible Mortgage Holder**". Eligible Mortgage Holders shall be entitled to timely written notice of:

2. Except as modified by this Fifth Amendment, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, a duly authorized officer of the Declarant has executed this Fifth Amendment as of the date first written above.

DECLARANT: **KAMINSKI HOLDINGS, INC.,**
a Texas corporation

By: _____
Bruce Kaminski, President

ACKNOWLEDGEMENT

STATE OF TEXAS §
§
COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me this 30 day of January, 2019, by Bruce Kaminski, President of KAMINSKI HOLDINGS, INC., a Texas, a Texas corporation, on behalf of said corporation.

NOTARY PUBLIC
STATE OF TEXAS

ANTHONY ROSO
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 03/31/2021
NOTARY ID 12521198-3

_____
Notary Public
My Commission Expires: 03/31/2021

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CONSENTED TO THIS 30 DAY OF JANUARY, 2019:

AMOUR VALLEE HOMEOWNERS ASSOCIATION, INC.,
a Texas nonprofit corporation

By: _____
Bruce Kaminski, President

ACKNOWLEDGEMENT

STATE OF TEXAS §
§
COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me this 30th day of January, 2019, by Bruce Kaminski, President of AMOUR VALLEE HOMEOWNERS ASSOCIATION, INC., a Texas nonprofit corporation, on behalf of said corporation.

_____
Notary Public

My Commission Expires: 03/31/2021

AFTER RECORDING, RETURN TO:
Riddle & Williams, P.C.
3811 Turtle Creek Blvd., Suite 500
Dallas, Texas 75219

F:\RWBWP\G\DEC.AMD\FIFTH.AMOURVALLEE

NOTARY PUBLIC STATE OF TEXAS
ANTHONY ROSO
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 03/31/2021
NOTARY ID 12521198-3

Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
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